



U.S. General Services Administration

Executive Order 13821, “Streamlining and Expediting Requests to Locate Broadband Facilities in Rural America”

December 2018 Quarterly Report

Prepared for the Director of the Office of Management and Budget per the requirements of subsection 2(e) of Executive Order 13821

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I. Executive Summary

This is the General Services Administration's (GSA) first quarterly report submitted to the Office of Management and Budget (OMB) per the requirements of Executive Order (E.O.) 13821, "Streamlining and Expediting Requests to Locate Broadband Facilities in Rural America." Pursuant to subsection 2(e) of E.O. 13821, this report provides an aggregated summary of the GSA Common Form Application data submitted to GSA by the Federal property managing agencies. The aggregated summary of results includes data on the number of Common Form Applications received by each Federal property managing agency for wireless facility siting permits, the percentage of applications approved, the percentage rejected, the basis for any rejection, and the number of working days each application was pending before being approved or rejected.

II. Background

On January 8, 2018, President Trump issued E.O. 13821, "Streamlining and Expediting Requests to Locate Broadband Facilities in Rural America," to accelerate the deployment and adoption of broadband connectivity in rural America and enable sustainable rural broadband infrastructure projects. The order directs Federal property managing agencies¹ to:

- seek to reduce barriers to capital investment,
- remove obstacles to broadband services,
- use the GSA Common Form Application, as revised, if necessary, to evaluate requests to locate broadband facilities on Federal property, and
- report to GSA on a quarterly basis regarding their use of the Common Form Application.

Section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (Public Law 112-96) requires, among other things, that GSA develop a common form and master contract for wireless facility sitings on buildings and other property owned by the Federal Government. E.O. 13821 expands on Section 6409 in several ways, including the requirement for GSA and Federal property managing agencies to report quarterly on the number of Common Form Applications received, the percentage approved, the percentage rejected, the basis for any rejection, and the number of working days each application was pending before being approved or rejected.

¹ The E.O. defines "Federal property managing agencies" as "agencies that have custody and control of, or responsibility for managing, Federal lands, buildings, and rights of way, federally assisted highways, and tribal lands."

III. GSA Reporting Requirements under Executive Order 13821

Subsections 2(d) and (e) of E.O. 13821 require the following:

- (a) Within 180 days of the date of the order, and on a quarterly basis thereafter, all Federal property managing agencies must report to GSA regarding their required use of the Common Form Application, the number of Common Form Applications received, the percentage approved, the percentage rejected, the basis for any rejection, and the number of working days each application was pending before being approved or rejected. Each report must include the number of applications received, approved, and rejected within the preceding quarter;
- (b) Ninety days after the date of the order, and on a quarterly basis thereafter, GSA must prepare and provide to the Director of OMB an aggregated summary report detailing results from the reports submitted under subsection 2(d); and
- (c) Not later than one year from the date of the order, the Administrator of General Services must recommend to the Director of OMB improvements to the Common Form Application needed to further the purposes of the order.

Pursuant to subsection 2(e) of the order, this report summarizes the results of the data submitted to GSA by the Federal property managing agencies under subsection 2(d) and includes an aggregated summary of the number of Common Form Applications received, the percentage approved, the percentage rejected, the basis for any rejection, and the number of working days each application was pending before being approved or rejected.

In collecting and summarizing the Common Form Application data, GSA counted agency use of either the Common Form Application or the SF-299, “Application for Transportation and Utilities Systems and Facilities on Federal Lands.” The SF-299 is required for use by all agencies for easements and rights-of-ways; however, in conversations with other land management agencies, GSA discovered that many agencies were also using the SF-299 as their application for antenna installations. GSA discussed this point with the Executive Office of the President at a meeting in January 2018, where it was agreed that the SF-299, rather than the Common Form Application, should be revised to better meet both agency and industry needs with regard to the common form antenna installation application. Accordingly, GSA collected information from the Federal property managing agencies on the use of both the Common Form Application and the SF-299.

IV. Data Collection and Reporting Results

To facilitate and streamline the collection of the information required under subsection 2(d) of E.O. 13821, GSA created and distributed a survey, in September 2018, to 48 Federal property managing agencies and bureaus. Appendix A includes a copy of the survey questions and Appendix B includes a complete list of the Federal property managing agencies surveyed.

As required by subsection 2(e) of the E.O., GSA reviewed and aggregated each agency's response to the survey questions and provides the following summary.

Of the 48 agencies and bureaus surveyed that are authorized to approve permits for wireless broadband facility sitings on Federally owned buildings or land, 64% processed applications in the preceding quarter. Table 1, below, provides an aggregated summary of the number of applications received, the percentage approved, the percentage rejected, and the number of working days each application was pending before being approved or rejected.

Table 1. Aggregated Summary of Reporting Results

Description	Approved	Rejected	Pending	Total
Number of Applications	56	10	13	79
Percentage of Applications	71%	13%	16%	100%
Average Number of Days Application Pending	182	55	N/A	N/A

For the applications that were rejected, agencies reported the following reasons as the basis for rejection:

- Inaccurate information;
- Incomplete application; and
- Other clarification or revision required.

APPENDIX A: Survey Questions

1. Does your agency grant permits for wireless/broadband facility sitings on Federally owned buildings or property? For the purposes of this survey, "permits" include all forms of authorizations, communications use leases, etc.
2. Did your agency process any applications during the preceding quarter? For the purposes of this survey, "applications" refer to either the GSA Common Form Application or the SF-299.²
3. How many applications were received?
4. How many applications were approved?
5. How many applications were rejected? For the purposes of this survey, "rejection" refers to sending the application back to the applicant to revise or make corrections.
6. What was the basis for the rejection(s)?
7. What is the average number of working days each application was pending before being approved?
8. What is the average number of working days each application was pending before being rejected?

² Per the work underway by the Broadband Interagency Working Group, the SF-299 is currently being revised to incorporate the contents of the GSA Common Form Application and will replace this form once formally adopted.

APPENDIX B: Federal Property Managing Agencies Surveyed

No.	Agency/Bureau	Response Received
1	American Battle Monuments Commission	Yes
2	Barry Goldwater Scholarship and Excellence in Education Foundation	Yes
3	Broadcasting Board of Governors	Yes
4	Chemical Safety and Hazard Investigation Board	Yes
5	Commodity Futures Trading Commission	Yes
6	Delta Regional Authority	Yes
7	Department of Agriculture, Rural Development	Yes
8	Department of Agriculture, U.S. Forest Service	Yes
9	Department of Commerce	Yes
10	Department of Defense	Yes
11	Department of Energy	Yes
12	Department of Homeland Security	Yes
13	Department of State	Yes
14	Department of the Interior, Reclamation	Yes
15	Department of the Interior, Bureau of Land Management	Yes
16	Department of the Interior, National Park Service	Yes
17	Department of the Treasury	Yes
18	Department of Transportation	Yes
19	Department of Veterans Affairs	Yes
20	Export-Import Bank	Yes
21	Farm Credit System Insurance Corporation	Yes
22	Federal Communications Commission	Yes
23	Federal Housing Finance Investment Board	Yes
24	Federal Retirement Thrift Investment Board	Yes
25	General Services Administration	Yes
26	Inter-American Foundation	Yes
27	James Madison Memorial Fellowship Foundation	Yes
28	Merit Systems Protection Board	Yes
29	Millennium Challenge Corporation	Yes
30	Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation	Yes
31	National Aeronautics and Space Administration	Yes
32	National Archives and Records Administration	Yes
33	National Credit Union Administration	Yes
34	National Gallery of Art	Yes
35	Overseas Private Investment Corporation	Yes
36	Pretrial Services Agency for the District of Columbia	Yes
37	Public Defender Service for the District of Columbia	Yes
38	Securities and Exchange Commission	Yes
39	Tennessee Valley Authority	Yes
40	The Presidio Trust	Yes

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No.	Agency/Bureau	Response Received
41	United States Holocaust Memorial Museum	Yes
42	Vietnam Education Foundation	Yes
43	John F. Kennedy Center for the Performing Arts	Yes
44	DC Court Services & Offender Supervision Agency	No
45	Environmental Protection Agency	No
46	Department of Labor	No
47	Peace Corps	No
48	Smithsonian Institution	No

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